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9D-DW-19892
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Remarks

The Office Action mailed July 13, 2004 has been carefully reviewed and the foregoing amendment is made in consequence thereof.

Claims 1, 3-17, 21 and 22 are now pending in this application. Claims 1, 3-17, 21, and 22 stand rejected. Claims 2 and 18 – 20 have been cancelled.

The rejection of Claims 1, 3-17, 21, and 22 under 35 U.S.C. § 102(b) as being anticipated by Thompson (US Patent No. 4,916,864) is respectfully traversed.

Thompson describes a refrigerator (10) including a door (12) having an outer shell (14) and an inner liner (16). The liner is secured to the shell via a retainer strip (22). Specifically, the liner is secured to the shell via a screw (26). Additionally, the refrigerator includes a gasket (23) extending between the main cabinet (11) and the door to provide a seal therebetween. The gasket is secured in place via the retainer strip. Specifically, the gasket and the retainer strip have a complimentary shape such that the flexible gasket is mounted onto the retainer strip. In one embodiment, an inner wall surface (31) and an inner shoulder (36) of the retainer strip are captured by mounting projections (46 and 51), respectively, of the gasket to securely couple the gasket to the retainer strip. Notably, Thompson does not describe or suggest that the retainer strip is integrally formed with the liner. Rather, the gasket is secured to the liner and door by the retainer strip that is threadably fastened to the liner and the door prior to coupling the gasket thereto.

Claim 1 recites a door panel assembly for a dishwasher including "a panel comprising an integral formation depending therefrom, said formation comprising a boot-shaped portion defining a heel portion, a toe portion substantially perpendicular to said heel portion, and a curved arch portion tapering from said heel portion to said toe portion...a seal member comprising a head portion and an opening therein complementary in shape to said formation,

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said formation received in said opening, said heel portion and said toe portion cooperating to retain said seal member”.

Thompson does not describe nor suggest a door panel assembly as recited in Claim 1. More specifically, Thompson does not describe nor suggest an integral formation depending from a panel, wherein the formation includes a boot-shaped portion including a curved arch portion tapering from a heel portion to a toe portion. Rather, in contrast to the present invention, Thompson describes a refrigerator including a door having an outer shell and an inner liner, wherein the liner is secured to the shell by a threaded fastener that extends through a retainer strip, and a gasket is secured in place by the retainer strip. Notably, Thompson does not describe or suggest that the retainer strip is integrally formed with the liner. Rather, the gasket is secured to the liner and door by a retainer strip that is threadably fastened to the liner and the door prior to coupling the gasket thereto. Accordingly, for the reasons set forth above, Claim 1 is submitted to be patentable over Thompson.

Claim 3-7 depend from independent Claim 1. When the recitations of Claims 3-7 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claim 3-7 are likewise patentable over Thompson.

Claim 8 recites a door panel assembly for a dishwasher, wherein the said door panel assembly includes “an inner door panel comprising an integral formation extending therefrom, said formation comprising at least one flat surface and a curved surface extending opposite said flat surface, said at least one flat surface defining a heel portion extending beyond said curved surface, said curved surface tapering to a toe portion...a seal member comprising a head portion and an opening therethrough, said opening complimentary in shape to said formation and receiving said formation and attaching said seal member to said formation”.

Thompson does not describe nor suggest a door panel assembly as recited in Claim 8. More specifically, Thompson does not describe nor suggest an integral formation extending from

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a door panel, wherein the formation includes a flat surface defining a heel portion extending beyond a curved surface. Rather, in contrast to the present invention, Thompson describes a refrigerator including a door having an outer shell and an inner liner, wherein the liner is secured to the shell by a threaded fastener that extends through a retainer strip, and a gasket is secured in place by the retainer strip. Notably, Thompson does not describe or suggest that the retainer strip is integrally formed with the liner. Rather, the gasket is secured to the liner and door by a retainer strip that is threadably fastened to the liner and the door prior to coupling the gasket thereto. Accordingly, for the reasons set forth above, Claim 8 is submitted to be patentable over Thompson.

Claims 9-13 depend from independent Claim 8. When the recitations of Claims 9-13 are considered in combination with the recitations of Claim 8, Applicants submit that dependent Claims 9-13 likewise are patentable over Thompson.

Claim 14 recites a door panel assembly including "a panel comprising a bottom portion, an integral formation extending therefrom, and a barrier portion extending therefrom in a spaced apart relationship to said formation. ...a seal member comprising a head portion and a flap portion extending from said head portion and contacting a distal end of said barrier portion, said head portion comprising an opening therethrough for receiving said formation, said head portion engaged to said formation".

Thompson does not describe nor suggest a door panel assembly as recited in Claim 14. More specifically, Thompson does not describe nor suggest an integral formation and a barrier portion extending from a panel in a spaced apart relationship, and a seal member including a head portion and a flap portion contacting a distal end of said barrier portion, wherein the head portion includes an opening therethrough for receiving and engaging the formation. Rather, in contrast to the present invention, Thompson describes a refrigerator including a door having an outer shell and an inner liner, wherein the liner is secured to the shell by a threaded fastener that extends through a retainer strip, and a gasket is secured in place by the retainer strip. Notably,

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Thompson does not describe or suggest that the retainer strip is integrally formed with the liner. Rather, the gasket is secured to the liner and door by a retainer strip that is threadably fastened to the liner and the door prior to coupling the gasket thereto. Accordingly, for the reasons set forth above, Claim 14 is submitted to be patentable over Thompson.

Claims 15-17 depend from independent Claim 14. When the recitations of Claims 15-17 are considered in combination with the recitations of Claim 14, Applicants submit that dependent Claims 15-17 likewise are patentable over Thompson.

Claim 21 recites a seal including "a head portion and a flap portion extending from said head portion, said head portion defining a boot-shaped opening having a heel portion, a toe portion angularly displaced from said heel portion, and a curved arch portion tapering from said heel portion to said toe portion, wherein said head portion and said flap portion are configured for engagement with a door panel".

Thompson does not describe nor suggest a seal as recited in Claim 21. More specifically, Thompson does not describe or suggest a seal comprising a head portion and a flap portion configured for engagement with a door panel. Rather, in contrast to the present invention, Thompson describes a refrigerator including a door having an outer shell and an inner liner, wherein the liner is secured to the shell by a threaded fastener that extends through a retainer strip, and a gasket is secured in place by the retainer strip. Notably, Thompson does not describe or suggest that the gasket configured for engagement with the door panel. Rather, the gasket is configured for engagement with a retainer strip. Accordingly, for the reasons set forth above, Claim 21 is submitted to be patentable over Thompson.

Claim 22 depends from independent Claim 21. When the recitations of Claim 22 are considered in combination with the recitations of Claim 21, Applicants submit that dependent Claim 22 likewise is patentable over Thompson.

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For at least the reasons set forth above, Applicants respectfully request that the Section 102 rejection of Claims 1, 3-17, 21, and 22 be withdrawn.

In view of the foregoing remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,



Thomas M. Fisher
Registration No. 47,564
ARMSTRONG TEASDALE LLP
One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740
(314) 621-5070